APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,814	11/13/2001	Alistair William McLean	01263.001726.	6182

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EXAMINER
NGUYEN, LE V

ART UNIT	PAPER NUMBER
2174	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _26 January 2009_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _118-121,124-133 and 136-142_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _118-121,124-133 and 136-142_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some *   c) ☐ None of:

        1. ☒ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is responsive to an amendment filed 1/26/09.

2.   Claims 118-121,124-133 and 136-142 are pending in this application; and, claims

118, 130 and 142 are independent claims. Claims 1-117, 122-123 and 134-135 have

been cancelled; and, claims 118-121, 124, 130-133, 136 and 142 have been amended.

This action is made Final.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 118-121,124-133 and 136-142 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Kodosky et al. ("Kodosky", US #5,732,277) in view of

http://www.uiml.org/ ("UIML"), and further in view of Huang et al. ("Huang", US

#6,968,539), in view of McKaskle et al. ("McKaskle", US #5,481,741).

As per claim 118, Kodosky teaches a data processing apparatus comprising a

library for storing a plurality of filters and a processor for processing a computer

program stored on a computer-readable storage medium wherein the processor

executes, by processing the computer program, the step of selecting and loading a

plurality of selected desired filters from the library based on a first user instruction in

order to form an application (fig. 7; col. 9, lines 32-43; depicted are library of

components that can be selected/added; they are codes wherein the way they are

strung together becomes an application itself), editing/correcting interface control

objects by using the plurality of desired filters, wherein the plurality of desired filters are

arranged in a sequence based on the user instruction and are associated with a set of

UI control objects, each UI control object characterizing a display of a corresponding

filter and wherein the plurality of desired filters are used for filtering a data object based

on the sequence (fig. 22; col. 16, line 61 through col. 17, line 41; col. 23, lines 3-19;

illustrated are the established wiring blocks selected by the user, which represent

dependency of adjacent filters wherein filtering a data object or performing operations

on the data include adding, subtracting, etc.) and generating display data for displaying

the UI components corresponding to the plurality of selected desired filters in a display

apparatus by interpreting the edited/corrected user interface control objects and parsing

of the code wherein a user inputs data to the plurality of desired filters via the UI (col. 9,

lines 14-25; col. 17, lines 36-40; col. 18, lines 56-59; col. 34, lines 31-33; fig. 22; users'

input data to desired filters using controls wherein parsing of the code is inherent in

order to create the graphical representation). Kodosky does not explicitly disclose the

objects written in a markup language. UIML teaches UI objects written in a markup

language (pages 1-2). It would have been obvious to an artisan at the time of the

invention to incorporate the method of UIML with the method of Kodosky so that the

process model is 1) human readable, and 2) compatible across systems, i.e.

independent of underlying binary represented scheme.

However, Kodosky and UIML do not explicitly disclose the accessing step for accessing a code, i.e. accessing a code written in a markup language. Huang teaches such accessing step for accessing a code (fig. 11; col. 3, lines 31-47; wherein configuration is a form of coding aka descriptive programming and, moreover, UIML is markup language for modifying a UI description object and adding UI components). It would have been obvious to an artisan at the time of the invention to incorporate the method of Huang with the method of Kodosky and UIML given that XML is readable both by machine and human and is a robust language widely applicable in many areas.

Kodosky, UIML & Huang still do not explicitly disclose inputting data to desired filters via a UI. McKaskle further teaches inputting data to desired filters via a UI (col. 5, lines 2-3; via controls). It would have been obvious to an artisan at the time of the invention to incorporate such well known practices as taught by McKaskle with the method of Kodosky, UIML & Huang so that the filters can process the data.

Although McKaskle teaches selectively hide part of the UI such as the part that corresponds to a filter as taught by McKaskle (figs. 19(A-H); col. 5, lines 31-34; e.g. the controls and indicators ("WAVE" indicator) of figs. 19G and 19H), McKaskle does not explicitly disclose hiding controls or indicators when they are in use; however, it is well known in the art for many years that users may, for example, selectively hide part of the UI while the application is running or, moreover, selectively hide part of the UI such as the part that corresponds to a filter in order to provide uncluttered working area given that the screen has limited real estate, especially in view of KSR, 127 S. Ct. 1727 at 1742, 82 USPQ2d at 1397 (2007).

As per claim 119, the modified Kodosky teaches a data processing apparatus wherein, in the correcting step, the processor adds codes of the plurality of desired filters to the user interface components in the arranged sequence (Kodosky: Abstract; fig. 22; each element has an interface component device represented graphically wherein the user interface control provides logic for displaying).

As per claim 120, the modified Kodosky teaches a data processing apparatus wherein, in the correcting step, the processor changes the codes of a previously added filter when the processor adds the codes of the plurality of desired fitters to the user interface components (Kodosky: Abstract; fig. 22; editing the code).

As per claim 121, the modified Kodosky teaches a data processing apparatus wherein the UI components corresponding to the plurality of desired filters is displayed based on the arranged sequence when the display data is outputted to the display apparatus (Kodosky: fig. 22; col. 16, line 61 through col. 17, line 41).

As per claim 124, although the modified Kodosky teaches a data processing apparatus wherein the component of the user interface control object corresponding to at least one of the processing elements defines code for a graphical users interface (Kodosky: fig. 57; the function/filter, e.g. panel wherein the panel is a GUI customized for taking measurements, can generate interface components; as best as can be determined, the reference teaches setting a display, i.e. establish a display, and since it produces a display, it is interpreted to be setting), the modified Kodosky does not explicitly disclose enabling the respective window to display buttons, toolbars and data which is input, such as entering text, via the user interface to the processing element.

Official notice is taken that text and toolbars are standard in modern graphical user interfaces. Moreover, text and toolbars are standard components of the user interface so any modern system that generates a user interface as taught by the modified Kodosky would be expected by an artisan at the time of the invention to generate those standard components to enter data.

As per claims 125, 127 and 128, although the modified Kodosky teaches a data processing apparatus comprising a plurality of desired filters from the library based on a user instruction (Kodosky: fig. 7; col. 9, lines 32-43, the modified Kodosky does not explicitly disclose the filter being one of a filter for search data based on a search target inputted by a user, a printer filter for outputting appropriate data for a printer based on a functionality of a printer and a help filter for providing help information. Official Notice is taken that it is well known in the art that software components or subroutines, which are equivalent to a filter, are commonly used to provide search data based on a search target inputted by a user, outputting appropriate data for a printer based on a functionality of a printer and a help information capabilities in software applications. It would have been obvious to an artisan at the time of the invention to incorporate the method of search, print and help capabilities in software applications with the method of the modified Kodosky in order to save time, especially in view of KSR, 127 S. Ct. 1727 at 1742, 82 USPQ2d at 1397 (2007).

As per claim 126, the modified Kodosky teaches a data processing apparatus wherein the plurality of desired filters includes a display filter for displaying input data on the data display area (Kodosky: Abstract; figs. 22 and 57).

As per claim 129, the modified Kodosky teaches a data processing apparatus wherein the markup language is XML (UIML: page 1).

Claims 130 and 142 are individually similar in scope to claim 118 and are therefore rejected under similar rationale.

Claim 131 is similar in scope to claim 119 and is therefore rejected under similar rationale.

Claim 132 is similar in scope to claim 120 and is therefore rejected under similar rationale.

Claim 133 is similar in scope to claim 121 and is therefore rejected under similar rationale.

Claim 136 is similar in scope to claim 124 and is therefore rejected under similar rationale.

Claims 137, 139 and 140 in combination are similar in scope to the combination of claims 125, 127 and 128 and are therefore rejected under similar rationale.

Claim 138 is similar in scope to claim 126 and is therefore rejected under similar rationale.

Claim 141 is similar in scope to claim 129 and is therefore rejected under similar rationale.

Response to Arguments

5.   Applicant's arguments with respect to claims 118, 130 and 142 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Morris et al. (US 5,862,372) virtually oriented computer implemented application

development system utilizing standardized object and multiple views.

Inquires

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Examiner Lê Nguyen whose telephone number is **(571)**

272-4068. The examiner can normally be reached on Monday - Friday from 7:00 am to

3:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Hong, can be reached at (571) 272-4124.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

LVN
Patent Examiner
April 12, 2009

/Stephen S. Hong/

Supervisory Patent Examiner, Art Unit 2178